

रजिस्टर्ड नं० एस० एम० 14.



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, वीरवार, 11 सितम्बर, 1975/20 भाद्रपद, 1897

GOVERNMENT OF HIMACHAL PRADESH

REVENUE DEPARTMENT

NOTIFICATION

Simla-171002, the 9th September, 1975

No. 10-5/73-Rev. A.—In exercise of the powers conferred on him under sub-section (2) of section 89, sections 103, 117 and 122 of the Himachal Pradesh Tenancy and Land Reforms Act, 1972 (8 of 1974), the Governor, Himachal Pradesh is hereby making the following draft rules entitled as "The Himachal Pradesh Tenancy and Land Reforms Rules, 1975" and the same are hereby published in the official gazette as required under section 123 of the said Act for the information of the general public and a notice is hereby given that these draft rules will be taken into consideration after fifteen days from the date of their publication in the official gazette.

If any person affected thereby desires to take any objection or has any suggestion to make, regarding these draft rules, he can send the same to

the undersigned before the expiry of the above period of 15 days. The objections or suggestions, if any, so received, will be taken into consideration before these draft rules are finally published in the official gazette.

DRAFT RULES

THE HIMACHAL PRADESH TENANCY AND LAND REFORMS RULES, 1975

Short title,
extent and
commence-
ment.

1. (1) These Rules may be called the Himachal Pradesh Tenancy and Land Reforms Rules, 1975.

2. They extend to the whole of Himachal Pradesh.

3. They shall come into force at once.

Definitions

2. In these rules, unless there is anything repugnant in the subject or context,—

(a) “Act” means the Himachal Pradesh Tenancy and Land Reforms Act, 1972;

8 of 1974

(b) “estate” has the same meaning as has been assigned to it in the Punjab Land Revenue Act, 1887 or the Himachal Pradesh Land Revenue Act, 1954 as the case may be;

17 of 1887
6 of 1954

(c) “form” means a form appended to these rules;

(d) “section” means section of the Act; and

(e) all other words and expressions used in these rules but not defined in these rules shall have the meanings respectively assigned to them in the Act.

PART II

PROCEDURE FOR REVENUE OFFICERS FOR THE PURPOSES OF CHAPTERS II TO VIII OF THE ACT

Statements
and plead-
ings and
verification
of applicat-
ions.

3. (1) The statements and pleadings made by or on behalf of parties to a revenue proceedings, whether oral or written, shall be as brief as the nature of the case admits, and shall not be argumentative, but shall be confined as far as possible to simple and concise narrative of the facts which the party by whom or on whose behalf the statement of pleading is made believes to be material to the case, and which he either admits or believes that he will be able to prove.

(2) Every written application or statement filed by a party to a revenue proceeding shall be drawn up and verified in the manner provided by the Civil Procedure Code for written statements in suits.

Proceeding
not to abate
on death or
marriage
of party.

4. The death of one of the parties to a revenue proceedings, or, in proceeding to which a female is a party, her marriage shall not cause the proceeding to abate. And the Revenue Officer before whom the proceeding is held shall have power to make the successor-in-interest of the deceased person or of the married female a party thereto.

5. In fixing dates for the hearing of parties and their witnesses in adjourning proceedings, and dismissing applications for default or for other sufficient reason, a Revenue Officer shall, so far as the nature of the case requires or permits, be guided by principles of the procedure for the time being in force in Revenue Courts.

Procedure for fixing dates for hearing etc.

6. (1) A Revenue Officer may at his discretion award to a witness attending on summons, a sum on account of his expenses not exceeding the sum to which the witness would have been entitled for a like attendance in a Civil Court.

Expenses of witnesses,

(2) The sum so awarded shall be costs in the proceeding.

7. In proceedings before a Revenue Officer under the Act, the Revenue Officer shall make with his own hand a brief memorandum of the statement of parties and witnesses at the time when such statement is made.

Record of other proceedings under the Act.
Contents of order.

8. In every proceeding in which an order is passed on merits after inquiry, the Revenue Officer making the order shall also record a brief statement of the reasons on which it is founded.

9. (1) In proceedings in which costs have been incurred the final order shall apportion the costs between the parties to the proceedings.

Apportionment of cost and recovery thereof.

(2) Costs thus apportioned shall be recoverable by the Revenue Officer by attachment and sale of the movable property of the person liable for the same in the manner prescribed in section 70 of the Punjab Land Revenue Act, 1887 and section 76 of the Himachal Pradesh Land Revenue Act, 1954 as the case may be.

10. (1) Orders of ejectment from, and delivery of possession of immovable property shall be enforced in the manner provided in the Code of Civil Procedure for the time being in force in respect of the execution of decree whereby a Civil Court had adjudged ejectment from, or delivery or possession of such property.

Execution of order of ejectment etc.

(2) And in the enforcing of these orders a Revenue Officer shall have all the powers in the matter of resistance and the like which a Civil Court may exercise in the execution of a decree of the description mentioned in sub-rule (1).

PART III

TEMPORARY DISABILITY UNDER CLAUSE (D) OF SECTION 30 AND RELINQUISHMENT OF TENANCY UNDER SECTION 31

11. For the purpose of clause (d) of sub-section (1) of section 30, a landowner who is—

Temporary disability for the purpose of section 30.

- (a) temporarily an idiot or a lunatic; or
- (b) a person incapable of cultivating by reason of blindness or other physical infirmity; or
- (c) prosecuting studies in a recognised institution and does not exceed 25 years in age and whose father or mother, as the case may

be, either suffers from any of the disqualifications mentioned in clause (a) or (b) of the said sub-section or has died; or

(d) under detention or imprisonment,

shall be treated as temporarily disabled.

Relinquish-
ment of land
under sect-
ion 31.

12. (1) If a non-occupancy tenant wants to make a voluntary surrender of his tenancy land in favour of the Government under section 31, he shall apply to the Collector in Form LR-I. On receipt of the application, the Collector shall record the statement of the tenant and after having satisfied himself of the fact of voluntarily relinquishing, pass order that the tenant has voluntarily surrendered his tenancy land in favour of the Government. Thereafter, the Collector shall cause the taking over of the possession of the land through the Tehsildar concerned in favour of the Government.

(2) On having taken over the possession of the tenancy land under sub-rule (1), the Collector shall cause the necessary entry to be made in the Land Records substituting the right of the Government on the relinquished tenancy in place of the tenant and shall take possession of the land on behalf of the State Government.

(3) The Collector shall sub-let the land to the landless agricultural labourers or to those tenants whose land holding shall fall short of 5 bighas as a result of resumption of tenancy land by the landowners under sub-section (1) of section, 104.

PART IV

ACQUISITION OF PROPRIETORY RIGHTS BY OCCUPANCY TENANTS

Attestation
of mutation.

13. As soon as may be after the appointed day the Assistant Collector of the 2nd Grade of the tehsil or sub-tehsil, as the case may be, will attest the mutations of proprietary rights of the tenancy land in favour of the occupancy tenants after making a summary enquiry.

Preparation
of State-
ment under
Section 96.

14. (1) Soon after the mutations have been attested, the Patwari shall prepare a statement estate-wise in form LR-2 and submit the same to the Land Reforms Officer concerned. On receipt of the statement, the Land Reforms Officer shall issue notice in form LR-3 to the landowners and the tenants who have acquired proprietary rights, asking them to be present before him on the date and place to be mentioned in the notice.

(2) The occupancy tenants who have acquired ownership rights or the landowner concerned may file objections, if any, to the Land Reforms Officer regarding the amount proposed to be paid within 15 days of the receipt of the notice.

Determina-
tion of
amount and
apportion
ment thereof.

15. In case there are objections regarding the proposed amount the Land Reforms Officer will give a hearing to the parties and will determine the amount payable to the landowners and apportion the amount among the landowners where there are more than one according to their respective shares.

16. Notices under Chapter IX of the Act shall be served in the manner prescribed in Section 71 of the Act for the mode of service of summons.

Manner of service of notices.

17. (1) An appeal under Section 100 of the Act shall be preferred either personally or through a legal practitioner or recognised agent and the grounds of appeal shall be accompanied by a certified copy of the order appealed against.

Form of manner of appeals.

(2) An appeal shall be made on—

(a) one rupee court fee stamp paper, when made to the Collector; and

(b) two rupees court fee stamp paper, when made to the Commissioner.

18. An application for revision to the Financial Commissioner shall be made on a court fee stamp of four rupees and shall be accompanied by a certified copy of the order sought to be revised.

Stamp duty on application for revision.

19. All applications under Chapter IX of the Act shall be on judicial papers and no stamp duty except as expressly provided in rules 17 and 18 shall be chargeable.

Application to be free of stamp duty.

20. A register of the amount received from the tenant for payment to the landowners shall be maintained in Form LR-IV in the office of the Land Reforms Officer concerned to ensure timely recovery of dues of the landowners from the tenants and its payment to the landowners.

Maintenance of register of amount.

PART V

ACQUISITION OF PROPRIETARY RIGHTS BY NON-OCCUPANCY TENANTS

21. (1) A landowner who intends to resume land for his personal cultivation under section 104 shall himself or through an authorised person submit an application in Form LR-V in duplicate to the Land Reforms Officer in whose jurisdiction the land is situated. In filling up the Form the landowner shall be assisted by the Patwari concerned.

Application for resumption of land by the landowner under section 104.

(2) The period for submission of application under sub-rule (1) above is:—

(i) for the landowners other than those mentioned in sub-section (8) of section 104 within one month from the date of commencement of these rules;

(ii) for the minors within 6 months from the date of attainment of majority;

(iii) for members of Armed Forces mentioned in clauses (c) and (d) of sub-section (9) of section 104 within 6 months from the date on which they cease to be the members of the Armed Forces.

22. The Land Reforms Officer shall issue receipt of the Forms LR-V received by him under sub-rule (1) to the landowner in Form LR-VI. If the land of the landowner is with more than one tenant from whom he intends to resume land under the provisions of section 104, he shall select the land for resumption from the tenant holding the largest area of tenancy

Manner of selection of land for resumption.

land and then from the tenants who hold lesser tenancy land in descending order. The landowners who hold the tenancy land jointly, they shall resume the land with respect to their shares keeping in view the principles of consolidation of holdings.

Conversion
ratio for
the purpose
of section
104 (1) (iv).

23. In case the landowner intends to reserve both classes of land *i.e.* irrigated and unirrigated the conversion ratio for such reservation shall be 1:2:

Provided that the total area should not exceed 3 acres, when better class of land is converted into the inferior class.

Procedure
for dealing
with appli-
cations for
resumption.

24. (1) On the receipt of the application under rule 21, the Land Reforms Officer shall issue a 10 days notice in Form LR-VII to the parties asking them to be present before him on the date and place (within patwar circle) to be mentioned in the notice. On the date so fixed the Land Reforms Officer will hear the parties and if the selection of the land made by the landowner under rule 22 is mutually agreed upon by the parties, the Land Reforms Officer shall pass an order about the extinguishment of the rights of the tenant in such land. He shall further order that the possession of the land be given to the landowner from the date to be specified in the order. At the same time regarding the remaining land of such tenant or tenants the Land Reforms Officer shall confer proprietary rights on such tenant or tenants, as the case may be.

(2) Where the selection of land made by the landowner under rule 22 is not mutually agreed upon between the parties, the Land Reforms Officer, shall ask the tenant to exercise the right of selection of land, in writing within one month from the date of issue of notice under sub-rule (1). On receipt of the choice of the tenant within the said period of one month the Land Reforms Officer shall hear the parties, and after having satisfied himself that the landowner is entitled to resume land under the provision of section 104 of the Act, shall pass orders regarding the land chosen to be retained by the tenant and also in respect of the land to be resumed by the landowner for personal cultivation, within two months from the date of receipt of Form LR-V under sub-rule (1) of rule 21. He shall further order the extinguishment of right of tenancy on the land resumed by the landowner and for handing over the possession of land to the landowner by the tenant or tenants, as the case may be. Regarding the remaining land of the tenant or tenants, the Land Reforms Officer shall confer proprietary rights of such land upon the tenant or tenants, and determine the amount payable by the tenant to the landowner in respect of that land.

(3) Where part of the fields are involved in selection of land for resumption and to be left with the tenant, the tatima shajras will be prepared by the Patwari and checked by the Field Kanungo. The Revenue Officer will also check 25% of the tatima shajras.

(4) While determining the amount payable by the tenant or tenants, as the case may be, to the landowner for extinguishment of his rights in land mentioned in sub-rule (2), the Land Reforms Officer shall follow the provisions of sub-section (5) of section 104.

Mutation.

25. The order of the Land Reforms Officer passed under rule 24 shall be given effect to by way of mutation on the expiry of the period of limitation prescribed for appeal and revision in section 114. There will be two mutations

in each case, one for extinguishment of tenancy rights and the other for extinguishment of ownership rights of land in question. The mutation fee chargeable on these mutations will be the same as that for giving effect to a decree of a civil court.

26. (1) In case the landowner fails to bring under personal cultivation the land reserved by him under clauses (i) and (ii) of sub-section (1) of section 104 within one year from taking over the possession of the land, the Patwari shall make a report to the Land Reforms Officer of such failure. On receipt of such a report, the Land Reforms Officer shall issue a notice to the landowner to show cause within fourteen days from the receipt of the notice as to why the land shall not vest in the State Government. On hearing the landowner, if the Land Reforms Officer comes to the conclusion that the landowner has failed to cultivate the land without sufficient cause then he shall pass an order in writing under sub-section (2) of section 104 that such land vest in the State Government. The Land Reforms Officer may also order payment of amount to the landowner at rates prescribed in sub-section (2) of section 104. He shall also take possession of the land on behalf of the State Government and shall cause to make entry in the revenue records to this effect.

Disposal of land vested in State Government under sub-section (2) of Section 104.

(2) On vestment of the land in the State Government under sub-rule (1), the Land Reforms Officer shall summon the tenant from whom the landowner resumed the land for personal cultivation and shall give him an option and the first choice to acquire the proprietary rights of the land on payment of the amount at the rate prescribed in sub-section (2) of section 104.

(3) In case the tenant agrees to acquire ownership rights of the land under sub-rule (2) he shall be asked to pay the amount in lump sum or in such number of six monthly instalments not exceeding ten during the period not exceeding five years from the date of order of the Land Reforms Officer. The Land Reforms Officer shall at the same time pass an order for the delivery of possession of the land to such a person on payment of 1st instalment of the amount who acquires the proprietary rights under this sub-rule.

(4) In case the tenant does not exercise option under sub-rule (2) then the land will be allotted in the following order of preference on payment of 96 times the annual land revenue plus rates and cesses chargeable thereon:—

- (a) to landless agricultural labourers;
- (b) to village artisans; and
- (c) to members of scheduled castes and scheduled tribes.

27. All rights, title and interests in the tenancy land of landowners who have already under their personal cultivation 3 acres un-irrigated or $1\frac{1}{2}$ acres irrigated land shall vest in the non-occupancy tenants with effect from the commencement of these rules. Similarly, the proprietary rights of tenancy land of the non-occupancy tenants on Government land shall also vest in the tenants from the commencement of these rules.

Procedure for conferment of proprietary rights on tenants covered by sub-section (3) of section 104. Attestation of mutations.

28. (1) The patwari will enter the mutation of ownership in the mutation register in favour of the non-occupancy tenants on whom proprietary rights under rule 27 vested and the Revenue Officer will attest the

mutation in the presence of the parties.

(2) Where a part of a field number is vested in a tenant tatima shajra, of such part will be prepared on the body of the mutation sheets.

Determina-
tion of dis-
putes under
sub-section
(4) of section 104.

29. (1) If there is a dispute regarding the entries of the land records the Land Reforms Officer, in his capacity as an Assistant Collector of the First Grade, shall decide the dispute under sub-section (4) of section 104 in accordance with the relevant provisions of the provisions of the Punjab Land Revenue Act, 1887, or the Himachal Pradesh Land Revenue Act, 1954, as the case may be.

17 of 1887
6 of 1954

(2) The disputes of such cases will be determined on a summary inquiry on files started to be on the report of the Field Kanungo where a tenancy is in a part of a field number, tatima shajras of that part will be prepared.

Manner of
determina-
tion of the
Amount.

30. Immediately after the attestation of the mutation in favour of the tenants the Patwari of the circle shall prepare a statement, in Form LR-VIII showing the non-occupancy tenants who have acquired proprietary rights as a result of the mutation under rule 28 estate-wise and forwarded the same to the Land Reforms Officer concerned. On receipt of the statement, the Land Reforms Officer shall issue 15 days notice in Form LR-IX to the landowners and the tenants concerned to be present before him on the date and place mentioned in the notice. The Land Reforms Officer shall hear the parties on the fixed date. In case there are objections from any side, the Land Reforms Officer shall, after a summary inquiry, pass order regarding the determination of the amount, apportionment of the same among the interested landowners.

Maintenance
of register of
the amount.

31. As soon as the Land Reforms Officer gives his decision regarding the determination of the amount under rule 30, entry to that effect shall be made in a Register to be maintained in Form LR-V in his office Tehsil-wise. The entries of recoveries of the amount in lump sum or instalments, as the case may be, from the tenants and payment thereof to the landowners shall be made in this register at the proper time. This register will be checked and verified by the Land Reforms Officer every month.

Payment of
amount.

32. (1) The amount shall be deposited by the tenant with the Land Reforms Officer in lump sum or in such number of instalments as may be determined by the Land Reforms Officer under sub-section (4) of section 104. The Land Reforms Officer will pay the same to the landowner whose rights, title and interests are extinguished. In case there are more than one landowner the amount shall be paid in accordance with their respective shares.

(2) Where there is a dispute between the various claimants the amount determined by the Land Reforms Officer and deposited by the tenants shall be kept in the deposit in the Treasury/Sub-Treasury pending adjudication of the case by the competent court or officer, as the case may be.

(3) The amount deposited by the tenant shall be paid to the landowner by means of cash payments against receipts.

(4) In case the tenants fail to pay the instalments according to the time fixed by the Land Reforms Officer in his order, the landowner shall make an application to the Land Reforms Officer for recovery of the amount due as arrear of land revenue.

33. (1) The declaration required to be made under clause (d) of sub-section (8) of section 104 shall be furnished in Form LR-X by the father of the member of the Armed Forces to the Collector concerned within 3 months from coming into force of these rules. The declaration shall be supported by an affidavit and a copy of the jamabandi pertaining to the land given in the declaration.

Declaration under clause (d) of sub-section (8) of section 104.

(2) The Collector to whom the declaration in Form LR-X is furnished under sub-rule (1) shall issue a receipt of the Form in Form LR-XI to the person furnishing the declaration, as soon as the declaration is received by him. Thereafter the Collector shall send a copy of the declaration to the Tehsildar who will verify the declaration in the presence of the parties and will direct the Patwari concerned to make entry in the revenue records in the light of the particulars given in the declaration, during the harvest inspection next following the declaration.

34. The procedure of Land Reforms Officer under this part and part V of these Rules shall be, as far as possible, the procedure prescribed in part II of these Rules for the proceedings before the Revenue Officers.

Procedure

35. Notices under Chapter X of the Act shall be served in the manner prescribed in section 71 of the Act for the Mode of Service of Summons.

Manner of service of notices.

36. (1) An appeal under section 114 of the Act shall be preferred either personally or through a legal practitioner or recognised agent and the grounds of appeal or revision petition shall be accompanied by a certified copy of the order appealed against, or sought to be revised, as the case may be.

Form and manner of appeals.

(2) An appeal or revision petition, as the case may be, shall be made on—

- (a) One rupee court fee stamp paper, when made to the Collector;
- (b) two rupees court fee stamp paper, when made to the Commissioner; and
- (c) four rupees court fee stamp paper, when made to the Financial Commissioner.

37. All applications under Chapter X of the Act shall be on petition paper and no stamp duty except as expressly provided in rule 36 shall be chargeable.

Application to be free of stamp duty.

PART VI

CONTROL ON TRANSFER OF LAND

38. (1) Where transfer of land by way of sale, gift, exchange, lease or mortgage with possession, of which registration is not compulsory under the Registration Act, 1908 (16 of 1908) in favour of a person, who is not an agriculturist as defined in the Act or comes within the exemptions given in clauses (a) to (g) of sub-section (2) of section 118, such a person intending to secure a transfer of land in his favour shall swear an affidavit before the Revenue Officer, attesting the mutation, to the effect that he is eligible to secure transfer of land in his favour being an agriculturist. The Revenue Officer shall satisfy himself about the contents of an affidavit by the aforementioned person and shall attest a mutation only if that person is found to be an eligible person.

Affidavit by a person for acquisition of land.

(2) Where a transfer of land by way of sale, gift, exchange, lease or mortgage with possession requiring compulsory registration under the Registration Act, in favour of a person who is not an agriculturist as defined in the Act, such a person intending to acquire land by way of sale, gift, exchange, lease or mortgage with possession, shall file an affidavit along with the registration deed before the Sub-Registrar or Registrar, as the case may be, to the effect that such a person is eligible to secure the transfer of land in his favour. The Registrar or the Sub-Registrar, as the case may be, shall satisfy himself by such an inquiry as he deems fit that such a person is eligible to get the land under the aforesaid sub-section and only then register the document presented to him for registration, otherwise the registration of deed shall be refused.

Transfer of land in favour of State Government under section 119.

39. (1) Where an agriculturist intends to transfer his land in favour of the State Government, he shall give a notice of his intention to transfer the land in Form LR-XII to the Collector. The decision of the State Government under sub-section (2) of section 119 shall be conveyed to the notice server in Form LR-XIII.

(2) The price of the land as determined by the Collector and confirmed by the State Government shall be paid to the transferer in cash after withdrawal of the money from the Government Treasury or the Sub-Treasury against the appropriate Head of Account.

(3) After payment of the price of the land under sub-rule (2), the Collector shall take over possession of the land on behalf of the State Government and take steps to get the mutation of the land in favour of the State Government, attested.

Distribution of land purchased by State Government under rule 39.

40. The distribution of the land among the persons mentioned in section 121 shall be made by the Collector. The eligible person shall be required to make an application to the Collector who shall allot the land keeping in view the order of preference mentioned in the aforesaid section.

Price of the land for distribution under section 121.

41. The price of land for distribution among the persons entitled to get it under section 121 shall not be less than the price paid by the State Government under sub-rule (2) of rule 39. The total price will be recoverable in six monthly instalments not exceeding 20.

Repeal and Savings.

42. (1) The corresponding rules framed under the enactments repealed under section 126 in their application to the respective areas of Himachal Pradesh shall stand repealed from the date of the commencement of these rules.

(2) The repeal of the rules referred to in sub-rule (1) shall not affect their previous operation or any thing done thereunder.

(3) Notwithstanding the repeal of the rules under sub-rule (1) all suits applications or other proceedings pending disposal under the Acts mentioned in section 126 shall be disposed of in accordance with the provisions of the rules repealed under sub-rule (1) as if these rules had not been repealed.

FORM LR-I

[See sub-rule (1) of Rule 12]

FORM OF APPLICATION FOR VOLUNTARY SURRENDER
OF TENANCY LAND BY A TENANT IN FAVOUR OF GOVERN-
MENT UNDER SUB-RULE (1) OF RULE 12

SCHEDULE

| Name, parentage and other parti- culars of tenant | Name, parentage and other parti- culars of the land- owners | Names of District, Tehsil/Sub-Tehsil and estate in which the land is situated | Duration of possession as tenant |
|---|--|---|--|
| 1 | 2 | 3 | 4 |

| Particulars of tenancy land | | | Total revenue | Rates and cesses | Rent pay- able to the landowner | Re- marks |
|-----------------------------|-------------------------------|-------------------|------------------|---------------------|---------------------------------------|--------------|
| Khewat No. | Khatauni and field Nos. | Area in Bighas | 8 | 9 | 10 | 11 |
| 5 | 6 | 7 | | | | |

To

The Collector,

.....

Sir,

I hereby voluntary surrender my tenancy land shown in the Schedule given above in favour of the Government under section 31 of the Himachal Pradesh Tenancy and Land Reforms Act, 1972 (Act No. 8 of 1974).

.....
Signature of tenant

Address

Dated.....

I have compared the entires made in this application with the latest jamabandi entires of the estate and have found that the entries of this application tally with the entries of the Jamabandi.

.....
Signature of Patwari

Circle No. and Name.....

Dated

FORM LR-II

[See sub-rule (1) of rule 14]

STATEMENT OF OCCUPANCY TENANTS UNDER SECTION 96
OF THE HIMACHAL PRADESH TENANCY AND LAND
REFORMS ACT, 1972, PERTAINING TO VILLAGE.....
TEHSIL....., DISTRICT.....
(TO BE PREPARED BY THE PATWARI)

| Sr. No. | Village (Revenue Estate) | Khewat No. | Khatauni No. | Name with des- cription of land- owner and shares in case of more than one. | Name with descrip- tion of occupancy tenant and share in case of more than one. (The position before attestation) |
|------------|--------------------------------|---------------|-----------------|---|--|
| 1 | 2 | 3 | 4 | 5 | 6 |

| Particulars of land held by occupancy tenant | | | | Total amount | Remarks |
|--|------------------|-----------------------|---------------------|--------------|---------|
| Field No. | Area in Acres | Total land revenue | Rates and cesses | | |
| 7 | 8 | 9 | 10 | 11 | 12 |

.....
Signature of Patwari

Circle No. and Name.....

Dated.....

I have compared the entries of the statement with the latest jamabandi entries of the village and have found that the entries of this statement tally with the entries of the Jamabandi.

.....
Signature of Field Kanungo
of the Circle.

Dated.....

Note.—The entry in Col. No. 5 will be an exact copy of ownership column of the Jambandi and entry of Col. No. 6 will be the exact copy of column of cultivation of the Jambandi.

FORM LR-III

[See sub-rule (1) of rule 14]

NOTICE UNDER RULE 14 OF THE HIMACHAL PRADESH
TENANCY AND LAND REFORMS RULES, 1975

Before the Land Reforms Officer District.

In the matter of Shri.....(Landowner).

Versus

Shri..... (Occupancy Tenant).

To

All persons concerned.

Whereas Shri/Sarvshri.....s/o.....
resident of..... Tehsil..... District.....
is/are the proprietors of the land per Khewat Khatauni No.....
Khasra Nos..... measuring..... bighas.....
biswas..... situated in Revenue Estate..... Tehsil.....
....., District..... and Sarvshri..... sons of.....
..... was/were the occupancy
tenants thereof;

And whereas all rights, title and interests of the land described above have vested in the aforesaid occupancy tenants free from all encumbrances under section 94 of the Himachal Pradesh Tenancy and Land Reforms Act, 1972 (Act No. 8 of 1974);

And whereas a sum of Rs..... is proposed to be allowed as an amount to be paid by the said Shri/Sarvshri..... tenant/tenants to the said Shri/Sarvshri..... landowner/landowners for extinguishment of the rights, title and interests of the said landowner/landowners in the land described above.

Now, therefore, in pursuance of rule 14 of the Himachal Pradesh Tenancy and Land Reforms Rules, 1975, it is hereby notified for information of all persons concerned that objections in regard to assessment of the said amount of Rs..... shall be heard by the undersigned on..... (date) at..... (Place). Any person having any objection to make in the matter may do so on the said date and place.

In the event of your, your legal practitioner or a recognised agent, non-appearance in proceedings will be taken against you *ex-parte*.

Given under my hand and seal of this office this.....day of.....
19

Seal. _____ Land Reforms Officer,
.....district.
Dated,.....

FORM LR-IV
(See Rules 30 and 31)

REGISTER OF CONFERMENT OF PROPRIETARY RIGHTS OF
OCCUPANCY AND NON-OCCUPANCY TENANTS IN
TEHSIL..... DISTRICT.....

1. Name and address of tenant/tenants.
2. Name and address of landowner/landowners.
3. Particulars of land in respect of which proprietary rights are transferred to the tenant/tenants.
4. Amount of Compensation determined by—
(a) Land Reforms Officer;
(b) Commissioner;
(c) Financial Commissioner.
5. Compensation whether payable in instalments or lump sum, number and nature of instalments if payable in instalments.
6. Amount of compensation received from the tenant/tenants in instalments with dates.
1 2 3 4 5 6 7 8 9 10
7. Amount of compensation paid to the landowner/landowners in instalments.
1 2 3 4 5 6 7 8 9 10
8. Remarks.

Note.—Entries in column Nos. 6 and 7 shall be initialled by the Land Reforms Officer.

FORM LR-V
[See sub-rule (1) of rule 21]
APPLICATION FOR RESUMPTION OF LAND UNDER RULE 21
OF THE HIMACHAL PRADESH TENANCY AND LAND
REFORMS RULES, 1975

To

The Land Reforms Officer,
.....

Sir,

As required under sub-rule (1) of rule 21 of the Himachal Pradesh Tenancy and Land Reforms Rules, 1975, I furnish below the particulars of

land held by me and of land which I want to resume for personal cultivation:—

| Sr. No. | Tehsil/District | Name of Revenue Estate | Land owned by the applicant showing Khasra No., area in acre and class of land | | |
|---------|-----------------|------------------------|--|---------------|------------------|
| | | | Khasra No. | Area in acres | Names of tenants |
| 1 | 2 | 3 | 4 | 5 | 6 |

| Particulars of land the applicant held by the tenant/tenants | | | Particulars of tenancy land which the applicant intends to resume for personal cultivation | | | |
|--|---------------|---------------|--|------------|---------------|---------------|
| Khasra Nos. | Class of land | Area in acres | Name of the tenant holding land | Khasra No. | Class of land | Area in Acres |
| 7 | 8 | 9 | 10 | 11 | 12 | 13 |

| Tenancy land left with tenant/tenants shown in col. 11 showing particulars thereof | | | Remarks |
|--|-------------|---------------|---------|
| Class of land | Khasra Nos. | Area in acres | |
| 14 | 15 | 16 | 17 |

I solemnly affirm that the particulars of land given above are correct to the best of my knowledge and belief.

I have satisfied my self that I am eligible to resume land under the provision of section 104 of the Himachal Pradesh Tenancy and Land Reforms Act, 1972 (Act No. 8 of 1974).

.....
Signature of the landowner.
Name and full address.....
Dated.....

VERIFICATION BY THE PATWARI

Certified that I have verified the entries of the statement and these are correct in accordance with the entries of Land Records and that the

land owner is eligible to resume land for his personal cultivation under the provisions of section 104 of the Himachal Pradesh Tenancy and Land Reforms Act, 1972 (Act No. 8 of 1974).

.....
Signature of the Patwari
Name and Circle No.....
Dated.....

Note.—In case of reservation of Part of Khasra number the tatima shajra verified by the Field Kanungo will also be filed with the application.

FORM LR-VI

(See Rule 22)

RECEIPT UNDER RULE 22 TO BE ISSUED TO THE LANDOWNER ABOUT RECEIPT OF FORM LR-V REGARDING RESERVATION OF LAND BY THE LAND REFORMS OFFICER

Received statement of reservation of land for personal cultivation from
Shri.....s/o.....(landowner)
resident of....., Tehsil.....District.....
today the.....19, personally through his authorised agent.

Land Reforms Officer,
Dated.....district.

FORM LR-VII

(See rule 24)

NOTICE UNDER SUB-RULE (1) OF RULE 24 OF THE HIMACHAL PRADESH TENANCY AND LAND REFORMS RULES, 1975 Before the Land Reforms Officer.....district.

In the matter of Shri.....(landowner):

Versus

Shri.....(tenant):
To

All persons concerned.

Whereas Shri/Sarvshri.....sons of Shri.....
resident of....., Tehsil....., District.....,
is/are the proprietors of the land comprising Khewat Khatauni No.
....., Khasra Nos.....measuring.....
bighas.....biswas, situated in Revenue Estate.....
Tehsil....., District.....and Shri/Sarvshri.....
.....son of Shri.....residents of
village.....are the non-occupancy tenants of the said
land.

And whereas the said landowner has submitted statement under rule of the Himachal Pradesh Tenancy and Land Reforms Rules, 1975, in respect of reservation of land for personal cultivation.

Now, therefore, it is hereby notified for the information of all concerned that the objections in regard to the reservation of land by the said Shri/Sarvshri..... shall be heard by the undersigned on..... at..... All concerned are, therefore, required to appear before the undersigned on the said date.

Given under my hand and seal of this office this.....day of.....
19 .

Dated
Seal.

Land Reforms Officer,
.....District.

FORM LR-VIII

(See Rule 30)

STATEMENT OF LAND HELD BY NON-OCCUPANCY TENANTS TO BE PREPARED BY THE PATWARI UNDER SECTION 104(3) OF THE HIMACHAL PRADESH TENANCY AND LAND REFORMS ACT, 1972

| Sr. No. | Name of estate | Khewat No. | Khatauni No. | Particulars of the landowners | Particulars of tenants |
|---------|----------------|------------|--------------|-------------------------------|------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 |

| Total area of Khatauni | Land Revenue assessed | Rates and cesses | Total amount payable to the landowner | Remarks |
|------------------------|-----------------------|------------------|---------------------------------------|---------|
| 7 | 8 | 9 | 10 | 11 |

Note.—1. Col. No. 5 will be the exact copy of ownership col. of the latest jamabandi and col. No. 6 will be the exact copy of col. of cultivation of latest Jamabandi.

2. The Kanungo should verify the entries of the statement and certify that the entries have been compared by him with the latest Jamabandi and have been found to be correct.

3. In case the entries of tenancy exist in the Khasra Girdawari and not yet incorporated in the latest Jamabandi the Kanungo will certify that the entries are correct according to Khasra Girdawari.

4. The statement will be made owner-wise.

.....
Signature of the Patwari.
Circle No. and Name.....
Dated.....

.....
Signature of the Field Kanungo
Circle No. and Name.....
Dated

FORM LR-IX

(See Rule 30)

NOTICE UNDER RULE 30 OF THE HIMACHAL PRADESH TENANCY AND LAND REFORMS RULES, 1975

Before the Land Reforms Officer.....District.

In the matter of Shri.....(landowner)

Versus

Shri (tenant)

To

All persons concerned.

Whereas Shri/Sarvshri..... sons of Shri.....
resident of....., Tehsil....., District.....
is/are the proprietors of the land per Khewat Khatauni No.....
Khasra Nos. measuring....., bighas.....
biswas situated in Revenue Estate....., Tehsil.....,
District and Shri/Sarvshri..... sons of
..... is/are non-occupancy tenant/tenants thereof;

And whereas all rights, title and interest of the land described above
have vested in the aforesaid non-occupancy tenant/tenants free from all
encumbrances as under section 104 of the Himachal Pradesh Tenancy and
Land Reforms Act, 1972 (Act No. 8 of 1974) with effect from.....

And whereas a sum of Rs..... is proposed to be allowed as
amount to be paid by Shri/Sarvshri..... tenant/tenants to the said
Shri/Sarvshri..... landowner/landowners for extinguish-
ment of the rights, title and interest of the said landowner/landowners
in the land described above.

Now, therefore, in pursuance of rule 27 of the Himachal Pradesh Tenancy
and Land Reforms Rules, 1975, it is hereby notified for information of all
persons concerned that objections in regard to assessment of the said amount
of Rs..... shall be heard by the undersigned on..... at
..... Any persons having any objection to make in the matter may
do so on the said date and place.

Given under my hand and seal of this office on this..... day of.....
19

Dated.....
Seal.

Land Reforms Officer,
.....district.

FORM LR-X

[See sub-rule (1) of Rule 33]

FORM OF DECLARATION UNDER CLAUSE (d) OF SUB-SECTION (8) OF SECTION 104 OF THE HIMACHAL PRADESH TENANCY AND LAND REFORMS ACT, 1972 (ACT NO. 8 OF 1974)

I.....s/o.....resident of.....
Tehsil/Sub-Tehsil....., District....., hereby declare
the tenancy land given below as the inheritable share of my sons Shri/
Sarvshri.....on his date/their date of joining the Armed Forces:

| Name, parentage and other particulars of the person furnishing the declaration | Name of the son/ sons who is/are member/members of the Armed Forces | Date of joining the Army | Name of the tenant on the land, his parentage and other particulars |
|--|---|--------------------------|---|
| 1 | 2 | 3 | 4 |

Particulars of land declared as inheritable share of the member/
members of the Armed Forces shown in Column 2

| Name of Village Tehsil/Sub-Tehsil in which the land is situated | Khatauni No. | Khasra Nos. | Area in acres | Remarks |
|---|--------------|-------------|---------------|---------|
| 5 | 6 | 7 | 8 | 9 |

In case of parts of the field, the Tatima Sajra thereof should be attached with this declaration.

AFFIDAVIT

I solemnly affirm that the particulars given by me in the above declaration are true to the best of my knowledge and belief and that nothing has been concealed.

Dated.....

.....
Signature of landowner.
Resident of Village.....
Tehsil/Sub-Tehsil.....
District

ATTESTATION

Certified that the above declaration was made on solemn.....
affirmation before me this.....day of.....19.....at.....
in.....District.....by Shri.....resident of

Village....., Tehsil/Sub-Tehsil....., District
.....

Dated.....

Magistrate 1st Class/Oath
Commissioner at.....
.....

Certified further that the above affidavit has been read out to Shri.....
.....s/o Shri.....resident of village.....
Tehsil/Sub-Tehsil.....District.....
the deponent who seems perfectly to understand the same at the time of its
making.

Dated.....

Magistrate 1st Class/Oath
Commissioner at.....
.....

FORM LR-XI

[See sub-rule (2) of rule 33]

RECEIPT UNDER SUB-RULE (2) OF RULE 33 TO BE ISSUED IN
FAVOUR OF THE FATHER OF A SERVING SOLDIER ABOUT
RECEIPT OF FORM LR-X REGARDING DECLARATION
OF INHERITATED SHARE OF THE SERVING SOLDIER
IN THE TENANCY LAND

Received declaration under clause (d) of sub-section (8) of section 104 in
Form LR-X from Shri.....s/o.....
(landowner) resident of..... Tehsil.....District....
.....to-day the.....19 .

Dated.....19 .

.....
Signature of Collector,
District.....

FORM LR-XII

[See sub-rule (1) of Rule 40]

NOTICE TO THE COLLECTOR UNDER SUB-SECTION (1) OF
SECTION 119 OF THE HIMACHAL PRADESH TENANCY AND
LAND REFORMS ACT, 1972 (ACT NO. 8 OF 1974)

To

The Collector,

.....District.

Sir,

I intend to transfer my land comprising Khewat Khatauni No.....
Khasra Nos.....measuring....., bighas.....

biswas situated in village....., Tehsil, District of which the copies of Jamabandi and tatima shajra are enclosed, in favour of the State Government. I am willing to transfer the said land for Rs..... Kindly convey me the Government decision in the matter.

Yours faithfully,

Signature and Address of the applicant.

FORM LR-XIII

[See sub-rule (1) of Rule 40]

FORM OF INTIMATION BY THE COLLECTOR OF THE DECISION
OF THE STATE GOVERNMENT UNDER SUB-RULE (1) OF
RULE 40 OF THE HIMACHAL PRADESH TENANCY AND
LAND REFORMS RULES, 1974

From

The Collector,

..... District.

To

Shri.....

.....
.....

No....., dated.....

MEMORANDUM:

With reference to your application dated....., under sub-rule (1) of rule 27 of the Himachal Pradesh Tenancy and Land Reforms Rules, 1975, for transfer of land in favour of the State Government has agreed to purchase the land mentioned in your application for Rs...../ has refused to purchase the said land.

.....
Signature of Collector,
..... District.

By order,
L. HMINGLIANA TOCHHAWNG,
Secretary.

